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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,000	04/14/2004	James Haskew	HASK-10294	7281

23123 7590 09/29/2005

SCHMEISER OLSEN & WATTS  
18 E UNIVERSITY DRIVE  
SUITE # 101  
MESA, AZ 85201

EXAMINER
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MCMAHON, MARGUERITE J

ART UNIT	PAPER NUMBER
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3747

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/825,000

Applicant(s)

HASKEW ET AL.

Examiner

Marguerite J. McMahon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/14/04.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (5,085,841) in view of Miller et al (2004/0118764). Robinson shows a pollution control device for use in reducing pollution emissions from a vehicle engine, the device comprising an airborne catalyst dispenser configured for installation into the vehicle engine to dispense at least one airborne catalyst into an intake air stream of the vehicle engine. Robinson shows everything (see abstract) except labeling the device a "kit" and explicitly mentioning the use of a fuel filter configured to couple to a fuel line of the vehicle engine between a fuel tank supplying fuel to the vehicle engine and the vehicle engine (although this is conventional and a reasonable argument could be made that this is inherent in the functioning of any normal engine such as that of Robinson), the fuel filter being a fuel purifier which is configured to separate water and particulates from the fuel, and further comprising a microfine fuel filter, configured to couple to the fuel line of the engine between the fuel purifier and the engine.

It would have been an obvious matter of design choice to define the device as a "kit" since this would not have changed the functioning of the device, since the same elements are present whether the device is defined as a kit or not.

Miller et al teach that it is old in the art to employ a fuel purifier 15 which is configured to separate water and particulates from the fuel, and further comprising a microfine fuel filter 16, configured to couple to the fuel line of the engine between the fuel purifier and the engine (see page 2, the last paragraph). It would have been obvious to modify Robinson by employing a fuel purifier which is configured to separate water and particulates from the fuel, and further comprising a microfine fuel filter, configured to couple to the fuel line of the engine between the fuel purifier and the engine, in order to provide clean fuel to the engine.

Claims 4, 7, 9, 15, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (5,085,841) in view of Miller et al (2004/0118764) as applied to claims 1-3, 6, 13, and 14 above, and further in view of Cochran (4,406,784). Robinson in view of Miller et al show everything except a bypass oil filter configured to couple to the vehicle engine such that the bypass oil filter receives oil from the engine, filters contaminants from the engine oil, and returns the filtered oil to the engine. Cochran teaches that it is old in the art to employ a bypass oil filter 16 configured to couple to the vehicle engine such that the bypass oil filter receives oil from the engine, filters contaminants from the engine oil, and returns the filtered oil to the engine. It would have been obvious to one having ordinary skill in the art to modify Robinson in

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view of Miller by providing a bypass oil filter, in order to filter and recirculate the engine oil, thus improving engine function, while conserving oil.

Claims 5, 8, 10, 12, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (5,085,841) in view of Miller et al (2004/0118764) and Cochran (4,406,784) as applied to claims 7, 9, 15, and 18 above, and further in view of Henderson (5,554,278). Robinson (5,085,841) in view of Miller et al (2004/0118764) and Cochran (4,406,784) show everything except the bypass oil filter being a microfine bypass oil filter. Henderson teaches that it is old in the art to employ a bypass microfine filter 20 (see column 2, lines 23-28). It would have been obvious to modify Robinson in view of Miller et al and Cochran, by employing a bypass filter capable of removing very small particles, in order to provide improved purity to the engine oil.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (5,085,841) in view of Cochran (4,406,784). Robinson shows everything except a bypass oil filter configured to couple to the vehicle engine such that the bypass oil filter receives oil from the engine, filters contaminants from the engine oil, and returns the filtered oil to the engine. Cochran teaches that it is old in the art to employ a bypass oil filter 16 configured to couple to the vehicle engine such that the bypass oil filter receives oil from the engine, filters contaminants from the engine oil, and returns the filtered oil to the engine. It would have been obvious to one having ordinary skill in the art to modify Robinson by providing a bypass oil filter, in order to filter and recirculate the engine oil, thus improving engine function, while conserving oil.

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Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (5,085,841) in view of Miller et al (2004/0118764) as applied to claims 1-3, 6, 13, and 14 above, and further in view of LaBelle (6,116,201). Robinson in view of Miller et al show everything except suppressing at least one of transient and spiking voltage with a voltage suppressor. LaBelle teaches that it is old in the art to suppress both transient and spiking voltage with a voltage suppressor (see column 13, lines 46-52). It would have been obvious to one having ordinary skill in the art to modify Robinson in view of Miller by providing a vehicle antitheft system, including a voltage suppressor, in order to protect the power components from damage from voltage spikes, including transient voltage spikes.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marguerite J. McMahon whose telephone number is 703-308-1956. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yuen Henry can be reached on 703-308-1946. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*mm*  
**MARGUERITE MCMAHON**  
**PRIMARY EXAMINER**